

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BILLY CEPERO,
 Plaintiff,

v.

DOUGLAS GILLESPIE, et al.,
 Defendants.

Case No. 2:11-cv-01421-JAD-NJK

ORDER

[Docket No. 188]

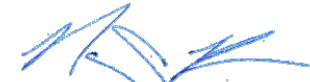
Pending before the Court is Plaintiff's motion to continue the settlement conference. Docket No. 188. The Court has considered Plaintiff's motion and Defendants' response. Docket Nos. 188, 190. The motion is properly resolved without a hearing. *See* LR 78-1.

On October 21, 2020, this case was referred to the undersigned for a mandatory settlement conference. Docket No. 177. On October 22, 2020, the Court issued an order setting a settlement conference for December 16, 2020. Docket No. 178. Thereafter, on December 14, 2020, the Court issued an order vacating the settlement conference due to deficiencies in Plaintiff's settlement brief. Docket No. 181. The Court reset the settlement conference for April 6, 2021. Docket No. 183. On the eve of the settlement conference, Plaintiff filed the instant motion asking the Court to reset the settlement conference. Docket No. 188. Plaintiff submits that his counsel suffered an unexpected medical emergency on April 1, 2021, which remains ongoing. *Id.* at 2. Defendants do not oppose Plaintiff's request to continue the settlement conference. Docket No. 190. Having reviewed the parties' settlement briefs, however, the Court finds that a settlement conference would be futile in this case. *See Melancon v. Harrah's Entm't, Inc.*, 2010 WL 11639687, at *1 (D. Nev. Feb. 26, 2010) (citing *Best Western Intern., Inc. v. Melbourne Hotel Inv'r, LLC*, 2008 WL 2945513, at *1 (D. Ariz. July 28, 2008)) ("[I]t is unreasonable for a court to force parties or their counsel and representatives to incur unnecessary attorney fees . . . to participate in a settlement conference knowing in advance the settlement conference will be futile").

1 Accordingly, Plaintiff's motion to continue the settlement conference, Docket No. 188, is
2 hereby **DENIED**. The parties must file a joint pretrial order no later than April 21, 2021.

3 IT IS SO ORDERED.

4 Dated: April 7, 2021



Nancy J. Koppe
United States Magistrate Judge